

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**

REMARKS

Applicant, by the amendments presented above, has made a concerted effort to present claims which more clearly define over the prior art of record, and thus to place this case in condition for allowance. Currently, claims 1-25, 27-31 and 34-64 are pending. Claims 26, 32 and 33 were canceled without prejudice herein.

Allowable Claims

The Examiner indicated that claims 48-61 and 64 are allowed.

The Examiner indicated that claims 8, 21, 22, 30-32 and 39 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant acknowledges the objection to claims 8 and 39.

Claim 21 has been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 22 is dependent upon claim 21.

Claims 30 and 31 have been rewritten in independent form including all of the limitations of the base claim and any intervening claims, with the exception of the limitations in claim 25 and the second member including a handle which had been provided in claim 26. This amendment regarding the handle was effected to avoid a possible §112 rejection. Applicant submits that these amendments do not effect the allowability of the claims because none of the prior art of record discloses the limitations provided in amended claims 30 and 31. Reconsideration and allowance is requested.

Claim 32 is discussed herein with regard to claim 20.

The Examiner further indicated that claims 62 and 63 would be allowable if rewritten to overcome the 35 U.S.C. §112 rejection set forth in the Office Action in paragraph 2. Applicant has amended claim 62 to overcome the §112 rejection as discussed herein.

Claim Rejections - 35 U.S.C. §112

Claims 35 and 62 were rejected under 35 U.S.C. §112, second paragraph. Applicant has amended claims 35 and 62 to specify the “first structure” instead of the “second structure”. Applicant submits that this amendment overcome the rejection. Entry, reconsideration and allowance of claims 35 and 62 is requested.

Claim Rejections - 35 U.S.C. §102

Claims 1, 2, 14 and 19 were rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 1,023,164 to O’Connor. Reconsideration and allowance of the claims is requested in view of the amendments and remarks provided herein.

Claim 1 has been amended to specify “a sleeve mounted on the door of the trailer, said sleeve extending at least a substantial dimension of the door; a lockrod disposed generally in said sleeve, said lockrod being sandwiched between said sleeve and the door”.

O’Connor discloses that the shaft 16 is placed within a channel 15 formed within the door such that the outer surface of the shaft 16 is flush with the outer surface of the door. The channel 15 is clearly shown in Figure 2 of O’Connor. O’Connor does not disclose that the shaft is sandwiched between the channel and the door as is specified in amended claim 1.

Therefore, Applicant submits that O’Connor does not anticipate amended claim 1 and further cannot be modified to render obvious amended claim 1. Reconsideration and allowance of amended claim 1 is respectfully requested.

Claims 2, 14 and 19 are dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 2, 14 and 19 is requested.

Claim Rejections - 35 U.S.C. §103

Claim 3 was rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of United States Patent No. 4,690,442 to Reynard. Claim 3 is dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 3 is requested.

Claims 4, 15, 38, 40, 44, 45 and 47 were rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of United States Patent No. 5,718,467 to Weinerman. Claims 4 and 15 are dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 4 and 15 is requested.

Claim 38 has been amended to more clearly define the thrust bearing and its relationship in the door lock mechanism. Specifically, claim 38 has been amended to specify “a thrust bearing disposed between said end cap and said handle assembly, said thrust bearing being rotatable relative to end cap and said handle assembly”.

With regard to Weinerman, the Examiner defines the “end cap” as element 131 and the “thrust bearing” as element 133. As defined in the specification of Weinerman, element 131 is a stem portion of the latch member 130 and element 133 is the circumferentially extending flange of the latch member 130. The stem portion 131 is not rotatable relative to the flange 133. Therefore, Applicant submits that the flange 133 is not a thrust bearing as defined in the specification which describes Applicant's invention and does not render obvious claim 38 as amended.

Reconsideration and allowance of claim 38 is respectfully requested.

Claims 40, 44, 45 and 47 are dependent upon claim 38 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 40, 44, 45 and 47 is requested.

Claims 5 and 42 were rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of Weinerman and further in view of United States Patent No. 4,660,872 to Carson. Claim 5 is dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 5 is requested.

Claim 42 is dependent upon claim 38 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 42 is requested.

Claims 6 and 43 were rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of Weinerman and further in view of United States Patent No. 3,451,705 to Turpen. Claim 6 is dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 6 is requested. Claim 43 is dependent upon claim 38 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 43 is requested.

Claims 7, 9-13, 20, 23, 25-29, 33, 34 and 37 were rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of United States Patent No. 4,082,330 to McWhorter. Claims 7 and 9-13 are dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 7 and 9-13 is requested.

With regard to claim 20, the limitations of claim 32 have been incorporated therein with the exception of the limitations in claim 25 and the second member including a handle which had been provided in claim 26. This amendment regarding the handle was effected to avoid a possible §112 rejection. The Examiner indicated that claim 32 would have been allowable if rewritten in independent form including all of the limitations of the base claim

and any intervening claims. Applicant submits that the exclusion of these elements from claims 25 and 26 do not effect the allowability of claim 20 because none of the prior art of record discloses the limitations provided in amended claim 20. Reconsideration and allowance is requested.

Claims 23, 25, 27-29, 34 and 37 are dependent upon claim 20 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 23, 25, 27-29, 34 and 37 is requested.

Claim 24 was rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of McWhorter and further in view of Weinerman. Claim 24 is dependent upon claim 20 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 24 is requested.

Claims 16, 17 and 18 were rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of United States Patent No. 3,224,802 to Pelcin. Claims 16, 17 and 18 are dependent upon claim 1 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 16, 17 and 18 is requested.

Claims 35 and 36 were rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of McWhorter and further in view of Pelcin. Claims 35 and 36 are dependent upon claim 20 which Applicant submits is in condition for allowance. Reconsideration and allowance of claims 35 and 36 is requested.

Claim 41 was rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of Weinerman and further in view of McWhorter. Claim 41 is dependent upon claim 38 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 41 is requested.

Claim 46 was rejected under 35 U.S.C. §103 as being unpatentable over O'Connor in view of Weinerman and further in view of Turpen and Carson. Claim 46 is dependent upon claim 38 which Applicant submits is in condition for allowance. Reconsideration and allowance of claim 46 is requested.

Oath/Declaration

Applicant submits the executed Declaration and Power of Attorney document. The inventor executed same on March 22, 2002. It is noted that a Notice to File Missing Parts was never received for this application. Acceptance of the Declaration and Power of Attorney is requested.

A version of any replacement paragraphs, on separate pages from the amendment, marked up to show all the changes relative to the previous version of the paragraphs (underlining or bracketing) is also provided herewith in conformance with 37 C.F.R. 1.121(b)(1)(iii).

A version of any amended claims, on separate pages from the amendment, marked up to show all the changes relative to the previous version of the claims (underlining or bracketing) is also provided herewith in conformance with 37 C.F.R. 1.121(c)(1)(ii).


A clean version (no underlining and bracketing) of the entire set of pending claims, on separate pages from the amendment, is also provided herewith as detailed in 37 C.F.R. 1.121(c)(3).

A Petition for a Two-Month Extension of Time is submitted concurrently herewith to extend the date for response up to and including December 31, 2002.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Dated: 12/30/02

By: 
Richard A. Giangiorgi, Reg. No. 24,284
Linda L. Palomar, Reg. No. 37,903

TREXLER, BUSHNELL, GIANGIORGI
BLACKSTONE & MARR, LTD.
105 W. Adams Street
Suite 3600
Chicago, Illinois 60603
(312) 704-1890

434518

**MARKED UP VERSION OF AMENDED CLAIMS
IN CONFORMANCE WITH 37 C.F.R. 1.121(c)(1)(ii)**

1. (Once Amended) A door lock mechanism configured for use with a trailer having at least one door, said door lock mechanism comprising:

a sleeve mounted on the door of the trailer, said sleeve extending at least a substantial dimension of the door;

a lockrod disposed generally in said sleeve, said lockrod being sandwiched between said sleeve and the door;

a handle assembly connected to said lockrod and external to said sleeve, said handle assembly having structure thereon configured to engage corresponding structure on the trailer, thereby locking the door in place, said handle assembly configured for actuation to rotate said lockrod, thereby selectively locking and unlocking the door.

20. (Once Amended) A door lock mechanism configured for use with a trailer having at least one door, said door lock mechanism comprising:

a lockrod mounted on the door; and

a handle assembly connected to said lockrod, said handle assembly having a first structure thereon configured to engage corresponding structure on the trailer, thereby locking the door in place, said handle assembly configured for actuation to rotate said lockrod, thereby selectively locking and unlocking the door, said handle assembly including a handle and a second structure provided on said handle and configured to engage corresponding structure on the trailer, thereby locking said handle in place,

said handle assembly including a handle and a second structure provided on said handle and configured to engage corresponding structure on the trailer, thereby locking said handle in place, said second structure including a dog provided on said handle to engage a corresponding opening on the trailer, a member provided on said handle and configured for engagement with the corresponding opening on the trailer, said member being moved into engagement with said corresponding opening primarily by gravity, said second structure further includes a base portion, wherein said member is pivotally mounted on said base portion.

21. (Once Amended) A door lock mechanism [as defined in claim 20, wherein] configured for use with a trailer having at least one door, said door lock mechanism comprising:

a lockrod mounted on the door; and

a handle assembly connected to said lockrod, said handle assembly having a first structure thereon configured to engage corresponding structure on the trailer, thereby locking the door in place, said handle assembly configured for actuation to rotate said lockrod, thereby selectively locking and unlocking the door, said handle assembly including a handle and a second structure provided on said handle and configured to engage corresponding structure on the trailer, thereby locking said handle in place, said second structure on said handle assembly [includes] including a tongue disposed on said handle, a lever disposed on said handle, said lever including a pin that extends through an aperture in said handle, said lever configured such that said lever can be manipulated relative to said handle to provide that said pin is disposed over said tongue.

26. Deleted

27. (Once Amended) A door lock mechanism as defined in claim [26] 20, wherein said member includes a gripping portion and a tongue portion, said tongue portion configured to move into engagement with the corresponding opening on the trailer.

28. (Once Amended) A door lock mechanism as defined in claim [26] 20, wherein said member is generally L-shaped.

29. (Once Amended) A door lock mechanism as defined in claim [26] 20, wherein said member is inclined at a predetermined angle relative to said handle.

30. (Once Amended) A door lock mechanism [as defined in claim 26, wherein] configured for use with a trailer having at least one door, said door lock mechanism comprising:

a lockrod mounted on the door; and

a handle assembly connected to said lockrod, said handle assembly having a first structure thereon configured to engage corresponding structure on the trailer, thereby locking the door in place, said handle assembly configured for actuation to rotate said lockrod, thereby selectively locking and unlocking the door.

said handle assembly including a handle and a second structure provided on said handle and configured to engage corresponding structure on the trailer, thereby locking said handle in place, said second structure including a dog provided on said handle to engage a corresponding opening on the trailer, a member provided on said handle and configured for engagement with the corresponding opening on the trailer, said member being moved into engagement with said corresponding opening primarily by gravity, said second structure further includes a base portion having an aperture therethrough, wherein said member includes an aperture therethrough configured such that when said member is in engagement with the corresponding opening in the trailer, said aperture through said member is in alignment with said aperture through said base portion such that an associated pin can be inserted through said apertures.

31. (Once Amended) A door lock mechanism [as defined in claim 26, wherein] configured for use with a trailer having at least one door, said door lock mechanism comprising:

a lockrod mounted on the door; and

a handle assembly connected to said lockrod, said handle assembly having a first structure thereon configured to engage corresponding structure on the trailer, thereby locking the door in place, said handle assembly configured for actuation to rotate said lockrod, thereby selectively locking and unlocking the door.

said handle assembly including a handle and a second structure provided on said handle and configured to engage corresponding structure on the trailer, thereby locking said handle in place, said second structure including a dog provided on said handle to engage a corresponding opening on the trailer, a member provided on said handle and configured for engagement with the corresponding opening on the trailer, said member being moved into engagement with said corresponding opening primarily by gravity, said second structure further includes a base portion having a protuberance thereon, wherein said member includes an aperture therethrough such that when said member is in engagement with the

corresponding opening in the trailer, said aperture is in engagement with said protuberance on said base portion.

32. Deleted

33. Deleted

34. (Once Amended) A door lock mechanism as defined in claim [26] 20, wherein said member includes a tongue portion, said member being configured such that said tongue portion can be manipulated relative to said structure to provide that said tongue portion is disposed over said dog.

35. (Once Amended) A door lock mechanism as defined in claim 20, further including a securing member provided on a side of the trailer, and the door being capable of being moved to an open position such that the door is opened and swung proximate to the side wall of the trailer, and wherein when the door is in the open position, said [second] first structure is engaged with said securing member.

38. (Once Amended) A door lock mechanism configured for use with a trailer having at least one door, said door lock mechanism comprising:

- a sleeve mounted on the door of the trailer;
- an end cap disposed at an end of said sleeve;
- a lockrod disposed in said sleeve and extending through an opening in said end cap;
- a handle assembly connected to said lockrod, said handle assembly having structure thereon configured to engage corresponding structure on the trailer, thereby locking the door in place, said handle assembly configured for actuation to rotate said lockrod, thereby selectively locking and unlocking the door; and

- a thrust bearing disposed between said end cap and said handle assembly, said thrust bearing being rotatable relative to end cap and said handle assembly.

62. (Once Amended) A trailer as defined in claim 48, further including a side wall and base rail connecting said side wall to said floor, a securing member provided on said base

rail, and said door being capable of being moved to an open position such that said door is opened and swung proximate to said side wall, and wherein when said door is in the open position, said [second] first structure is engaged with said securing member.